

Senate File 2443 - Reprinted

SENATE FILE 2443
BY COMMITTEE ON LOCAL GOVERNMENT

(SUCCESSOR TO SSB 3153)

(As Amended and Passed by the Senate March 10, 2026)

A BILL FOR

- 1 An Act related to competitive information of city utilities.
- 2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

unofficial

1 Section 1. Section 388.9, subsection 1, Code 2026, is amended
2 to read as follows:

3 1. Notwithstanding section 21.5, subsection 1, the governing
4 body of a city utility or combined utility system, or a city
5 enterprise or combined city enterprise as defined in section
6 384.80, by a vote of two-thirds of the members of the body
7 or all of the members present at the meeting, may hold a
8 closed session to discuss marketing and pricing strategies or
9 proprietary information if ~~its~~ the competitive position of the
10 city utility or combined utility system, other public utilities,
11 or a third party utility vendor would be harmed by public
12 disclosure and such disclosure is not required of potential or
13 actual competitors, and if no public purpose would be served
14 by such disclosure. The minutes and an audio or audiovisual
15 recording of a session closed under this subsection shall be
16 available for public examination at that point in time when the
17 public disclosure would no longer harm the utility's competitive
18 position.

19 Sec. 2. Section 388.9, subsection 2, paragraph b, Code 2026,
20 is amended to read as follows:

21 b. For purposes of this ~~subsection~~ section, "proprietary
22 information" includes confidential information pursuant to
23 section 22.7; customer records that if disclosed would harm
24 the competitive position of a customer or an electric utility;
25 or information required by a noncustomer contracting party
26 to be kept confidential pursuant to a nondisclosure agreement
27 which relates related to electric transmission planning and
28 construction, critical energy infrastructure, electric generation
29 capacity planning, energy markets or prices, or an ownership
30 interest or acquisition of an ownership interest in an electric
31 generating facility, including but not limited to information
32 required to be kept confidential pursuant to a nondisclosure
33 agreement, or other information made confidential by law or rule.